

UNITED STATES DISTRICT COURT OF THE SOUTHERN DISTRICT  
STATE OF NEW YORKCASE # 07-CIV7529  
Date of Filing 8/24/07TRUSTEES OF THE BRICKLAYERS AND ALLIED CRAFTWORKERS,  
LOCAL 5 NEW YORK RETIREMENT, WELFARE, LABOR MANAGEMENT  
COALITION and APPRENTICE TRAINING AND JOURNEYMEN UPGRADING  
FUNDS, and BRICKLAYERS AND ALLIED CRAFTWORKERS LOCAL 5 NEW YORK

Plaintiff

AFFIDAVIT OF  
SERVICE

against

CARMODY INC ET AL

Defendant

STATE OF NEW YORK, COUNTY OF WESTCHESTER ss: SHIRLEY BEYER The undersigned, being duly sworn, deposes and says;  
Deponent is not a party herein, is over 18 years of age and resides in the STATE OF NEW YORK  
That on SEPTEMBER 8 2007 at 4:05PM., at 442 ARMONK ROAD, MT KISCO, NY 10549  
Deponent served the withinSUMMONS AND COMPLAINT, JUDGE'S INDIVIDUAL RULES, USDC/SDNY INSTRUCTIONS  
FOR FILING AN ELECTRONIC CASE OR APPEAL, USDC/SDNY PROCEDURES FOR  
ELECTRONIC CASE FILING AND USDC/SDNY GUIDELINES FOR ELECTRONIC CASE FILING☒ Papers served had endorsed thereon index # and date of filing

On BIAGIO CANTISANI

☐ Individual by delivering a true copy of each to said defendant personally, deponent knew the person so served to be the person described as said defendant therein.☐ Corporation ☐ Religious Entity ☐ Government Entity ☐ Law Office ☐ Medical Facility ☐ Partnership ☐ Otherby delivering thereat a true copy of each to  
Said individual stated she/he is a managing/authorized agent of the corporation, thereof, authorized to accept legal process.☐ Suitable Age Person by delivering thereat a true copy of each to a person of suitable age and discretion.  
Said premises is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of abode ☐ last known address  
within the state. Person spoken to verified that defendant actually resides/is employed at these premises.☒ Affixing To Door by affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☒ dwelling place  
☐ last known address---within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age  
and discretion thereat, having called there: Address Confirmed by JOHN DOE NEIGHBOR AND GARDENER ON PREMISES9/4/07 @ 9:30PM  
9/5/07 @ 12:30PM9/6/07 @ 6:45AM  
9/7/07 @ 8:05PM☒ Mailing On 9/10/07 deponent enclosed a copy of same in first class envelope properly addressed to recipient's last known  
☒ Residence ☐ Business at: 442 ARMONK ROAD, MT KISCO, NY 10549  
The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise,  
that the communication was from an attorney or concerned an action against the defendant.  
The envelope was placed in an official depository under the exclusive care and custody of the U.S. Postal Service.☒ Description ☐ Male ☐ White Skin ☐ Black Hair ☐ White Hair ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs.  
☐ Female ☐ Black Skin ☐ Brown Hair ☐ Balding ☐ 21-35 Yrs. ☐ 5'0"-5'3" ☐ 100-130 Lbs.  
☐ Yellow Skin ☐ Blonde Hair ☐ Mustache ☐ 36-50 Yrs. ☐ 5'4"-5'8" ☐ 131-160 Lbs.  
☐ Brown Skin ☐ Gray Hair ☐ Beard ☐ 51-65 Yrs. ☐ 5'9"-6'0" ☐ 161-200 Lbs.  
☐ White/Hispanic ☐ Red Hair ☐ Glasses ☐ Over 65 Yrs. ☐ Over 6' ☐ Over 200 Lbs.  
☐ Bald

Other identifying features:

☐ Fees At the time of said service, deponent paid (tendered) in advance \$ the authorized traveling expenses and one day's witness fee.☒ Military Defendant in the above entitled action. In response to my questions said person told me that the Defendant was not in the military service  
or financially dependant upon anyone who is in the military service of the United States of America or of the State of New York in any capacity.  
From the facts above set forth, I am convinced that the said Defendant is not in the military service at the present time.

Sworn to before me on

September 10, 2007

ELLEN EAKLEY  
Notary Public, State of New York  
No. 01EA5085889Qualified in Westchester County  
Commission Expires Sept. 29, 2009

Ellen Eakley

Shirley Beyer  
SHIRLEY BEYER